

**Town of Shrewsbury - Board of Selectmen  
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room  
100 Maple Avenue  
Monday, March 12, 2007 at 7:00 PM**

**Minutes**

**Present:**

Bruce Card, Maurice DePalo, Thomas Fiore, John Lebeaux, James McCaffrey, and Daniel Morgado, Town Manager. Mr. Lebeaux called the meeting to order at 7:07pm.

**Preliminaries:**

1. Approve bills, payrolls and warrants, #0771 in the amount of \$306,533.26, and #0774 in the amount of \$3,909,797.46. Motion made, seconded and unanimously approved.
2. Approve minutes of February 26, 2007. Motion made, seconded and unanimously approved.
3. Announcements – Mr. Lebeaux advised that SELCO is offering 0% Interest Energy Conservation Loans for owner-occupied homes or condominiums. The loans are available for conversion of electric heating systems to energy efficient non-electric systems or other efficiency upgrades such as, replacement windows, solar panels, geothermal heating systems, or additional insulation. Residents must contact HELPS for a free home energy audit and submit an application for pre-approval prior to the start of any work. Information is available on the town web site. Also, Rain Barrels are available to residents again this year. Information on this program is also available on the town web site. Mr. Lebeaux announced that date for Leaves, Grass and Yard Waste Pick Up are: April 9-13, April 30-May 4, and May 14-18. Pick ups will be on the regular trash day and refuse must be in 30 gallon paper bags.
4. Town Manager's Report - Nothing other than what is on the Agenda.

**Meetings:**

**Public Hearings:**

5. 7:00pm – Fiscal Study Committee Report. Mr. Lebeaux welcomed the Fiscal Study Committee and commended the co-chairs Mr. DePalo and Mr. Fiore and their thirty member committee for completing this important study in such a short time. He invited the group that would be making the presentation to come forward and introduce themselves. William Gooley introduced Michael Filiere and Judy Merriman who will present the revenue section of the report and Moira Miller and Dina Nichols who will present the expense section. Mr. Gooley advised the Board that the Committee had striven to present a balanced, non-partisan report. Mr. Filiere reviewed the percentages of revenues received by the town through residential and commercial taxes, fees, state aid, etc. State aid amounts to approximately 24% of the town's budget and there is little or no control over this source. He added that every effort should be made to pursue and increase the commercial tax base. Ms. Merriman advised that fees are an important part of revenue and that the town should endeavor to make sure that the fees cover the amount of work required. She also recommended that it would be helpful if the town would get a graduate student or college intern to research grants instead of department heads being responsible for grant applications in addition to their other duties. Mr. Filiere also advised the town's funds are currently managed by Bartholomew & Co. and are doing well. Mr. Gooley thanked Ms. Merriman and Mr. Filiere and introduced Moira Miller and Dina Nichols who will present the expense section of the report. Ms. Nichols reviewed the major expenditures facing the town in the coming years, they include: health insurance, schools, and public safety. Ms. Miller added that union contracts and non-union wages and benefits also increase expenses and continued salary increases for employees are unsustainable without cutting costs. Town administrators are actively seeking savings in health expenditures but costs continue to rise. Should this trend continue, the town's ability to pay benefits will be affected. Ms. Miller advised that the return on investment for the town's pension fund continues to do well. A recent study was conducted relative to state management versus local management of the town's pension funds. It was recommended that the funds continue to be managed locally by the Retirement Board. Ms. Nichols advised that school enrollments seem to be stabilizing and increases in teacher salaries are at the lowest point in recent

years. However, it will be difficult to maintain these increases without an increase in revenues. A study regarding consolidation of positions is suggested. Another large expense is the cost of out of district placement for special education students. Consideration should be given to doing something in town. Ms. Miller added that a matrix had been done of mandated versus discretionary services and it was concluded that many services considered discretionary should be considered as core services necessary to the quality of life in Shrewsbury. Ms. Nichols reported that capital expenditures and long term debt which are part of any community's financial picture were well managed. However, any future capital projects will require very careful planning. Mr. Gooley advised that the committee concluded that the town is well managed and has made every effort to cut costs leaving little to cut now but services. In that event, residents would have to choose what services to keep and what to cut. There is no reasonable solution to the town's current situation other than through increasing property taxes. The Board congratulated the committee on the incredible job they had done putting the report together. Mr. Lebeaux opened the hearing to the public. Several residents commented on the report including Paul Dobner, 23 Elma Circle, Craig Mello, 1 Horseneck Road, Chris Juetten, 41 Stonybrook Lane, Rachael Missall, 23 Cypress Avenue, Judy Vedder, 15 Pheasant Hill Drive, James Smith, 4 Merriman Avenue, Steve Danielson, 75 Stoney Hill Road, Andy Blake, 89 Oak Street, John Martin, 204 North Street, Sandy Sorenson, 1 Elderberry Circle – nurse at Floral Street School, and Clint Mills, 18 Ryan Road. Motion was made, seconded and unanimously voted to close the hearing. Mr. Lebeaux reminded those present that the Board has said that they will consider an override question but they have not decided on the size or type of question as yet. However, we are coming to the point where a decision will be made and that will be determined at the next meeting of the Board on March 19<sup>th</sup>. He thanked the Fiscal Study Committee for all their work in coming up with such a comprehensive report in such a short period of time.

Mr. Lebeaux called a recess at 8:19 pm. The meeting reconvened at 8:30pm.

6. 8:00pm – Jump Nation, LLC d/b/a Pump It Up, 810 Boston Turnpike, Tin Chan & Kim Huban, owners, three Automatic Amusement Licenses. Hours of Operation: Sunday-Saturday 8:30am to 10:30pm. Mr. Chan was present and advised the Board that he was applying for two air hockey table licenses and one crane license in order to include some games for children attending events at his facility in addition to the inflatables. Pump It Up will be a location for private birthday parties, etc. for children. Mr. Lebeaux advised that all reports from department heads were favorable. Mr. Lebeaux opened the hearing to the public and seeing no comment, motion was made, seconded and unanimously voted to close the hearing. Motion was made to approve the application of Jump Nation, LLC d/b/a Pump It Up, 810 Boston Turnpike, for three automatic amusement licenses for the days of the week and hours as stated in the application. Motion was seconded and unanimously voted.
7. 8:15pm – Chair 5 Restaurants, LLC d/b/a Qdoba Mexican Grill, White City Shopping Center, 50 Boston Turnpike, Danny Ward, manager, Wine & Malt Beverages Pouring License. Hours of Operation: Sunday-Saturday 11:00am to 11:00pm. Earl Howard, Vice President of Operations, and Mr. Ward were present. Mr. Lebeaux advised that department head reports all were favorable. Mr. Howard advised the Board that they would like to add a wine and beer license to enhance dining at their quick serve restaurant. In response from questions by Board members, Mr. Howard advised that there would be no bar and all servers would be TIPS certified. Mr. Lebeaux opened the hearing to be public. As there was no public comment, motion was made, seconded and unanimously voted to close the hearing. Motion was made to approve the application of Chair 5 Restaurants, LLC d/b/a Qdoba Mexican Grill, 50 Boston Turnpike, for a Wine and Malt Beverages License for the days and hours as stated in the application. Motion was seconded and unanimously approved.
8. 8:30pm – Maria Unique Pizzeria, 344C Boston Turnpike, Sobhi Abdelmasih, owner, Common Victualler's License, Hours of Operation Sunday-Saturday 10:00am to 11:00pm. Mr. Abdelmasih and his wife were present. He told the Board that he and his wife would like to open a pizzeria at the location formerly occupied by Bandito's. They planned no changes to the facility. Mr. Lebeaux advised that all reports from department heads were favorable. After a few questions from the Board Mr. Lebeaux opened the hearing to the public. Seeing no comment, motion was made, seconded and unanimously voted to close the hearing. Motion was made, seconded and unanimously voted to approve the application of Maria Unique Pizzeria, 344C Boston Turnpike, Sobhi Abdelmasih, owner, for a Common Victualler's License for the days and hours as stated in the application.

**Old Business:**

9. Act on Water Connection Fee. Mr. Lebeaux recused himself from the discussion to avoid the appearance of a conflict of interest and Mr. Fiore assumed the chair. He advised that a problem had arisen between the vote taken on the water connection and when it was put into writing. The intent when it was voted was that a fee of \$1,000 would be charged for each dwelling unit in a building and not each building/meter. Motion was made to amend the water connection regulations that each dwelling unit will be required to have a permit at a fee of \$1,000 per permit. This amendment to be put into effect as soon as possible. Motion was seconded and voted four in favor with one abstention.
10. Review Chapter 40B RFI. Mr. Morgado reviewed the draft. Mr. DePalo noted that in section 2 - Community Objectives & Preferences, No. 4, a., "The Town prefers a mix of rental and homeownership units." the words "and homeownership" should be deleted. Board members concurred. Motion was made, seconded and unanimously voted to accept the draft as presented by Mr. Morgado with the change as noted to section 2, No. 4, a. amended to read – "The Town prefers a mix of rental units."

**New Business:**

11. Reappoint Peter Collins, 94 North Street, as an Associate Member of the ZBA for a term of one year expiring March 31, 2008. Motion was made, seconded and unanimously voted to reappoint Peter Collins as an Associate Member of the ZBA for a term of one year expiring March 31, 2008.
12. Review Draft Annual Town Meeting Warrant. Mr. Morgado advised that the Board is scheduled to sign the warrant next Monday, March 19<sup>th</sup>. He noted that Article 8 deals with the override question which the Board will decide next Monday evening. Mr. Morgado reviewed the warrant. Article 4 deals with calling personnel in on weekends that do not receive overtime pay until after they work 40 hours. Article 7 is the budget and article 8 in the supplemental budget should the override question be approved. Article 12 street acceptances; there are only three to be added to the town's inventory this year. Article 17 and 18 deals with TIF agreement and may not be ready in time for town meeting. A special town meeting may be needed to deal with these articles. Article 19 deals with a new law. The Town Clerk found that this law had never been accepted and should be acted upon. Article 22 relates to a new storm water bylaw. Engineering is working on another article which is incomplete at this time and there will be another article dealing with a gift from the estate of Dorothy McGuinness. Town Counsel has advised that we can accept this gift. The Board will also have to decide on how to address purchasing water from Worcester. There are also the usual warrant articles dealing with town business.

**Executive Session:**

13. Collective bargaining, pending litigation and value of real property. Motion was made, seconded, and unanimously voted to adjourn into executive session at 9:33pm and not to reconvene for the purpose of discussion of value of real property. The Board was polled, Mr. Card, yes, Mr. McCaffrey, yes, Mr. DePalo, yes, Mr. Fiore, yes, and Mr. Lebeaux, yes.

**Communications:**

14. Noted copy mailed: E-mail from Marilyn Sarnie, 9 Hemingway Street, re Budget.
15. Noted copy mailed: E-mail from Robert Millette, 197 No. Quinsigamond Ave., re Trash Collection Idea. Forward to Health Dept., Nancy Allen.
16. Noted copy mailed: E-mail from Jane Lillis, 38 Woodland Road, re Trash pick-up financing.
17. Noted copy mailed: February Benchmark Newsletter.
18. Noted copy mailed: Letter from Arc of Innovation re Regional Economic Development Initiatives.
19. Noted copy mailed: SELCO Commission Meeting Minutes, 1/22/07.
20. Noted copy mailed: Notice of Public Meeting from CMMPO re 2007 Regional Transportation Plan.
21. Noted copy mailed: E-mail from Rep. Polito re Gov. Patrick's 2008 Budget Recommendations. Waiting for House Ways & Means but will use Governor's figures.
22. Noted copy mailed: E-mail from George Smith, 33 Clews Street, thanking the Board for his reappointment to the ZBA as an Associate Member.

23. Noted copy mailed: E-mail from Rep. Polito re Cherry Sheet Receipts & Charges.
24. Noted copy mailed: Letter from American Cancer Society re 3<sup>rd</sup> Annual Relay for Life of Shrewsbury. Motion was made, seconded and unanimously voted to approve the request. Local people to be notified.
25. Noted copy mailed: MMA Action Alert #2, February 28, 2007, Governor's Budget adds \$200M to Ch. 70 & \$15M to Lottery.
26. Noted copy mailed: E-mail from Monica Maher, 52 Maple Circle, re Budget.
27. Noted copy mailed: E-mail from Don & Christine Lynch, 20 Toblin Hill Drive, re Budget.
28. Noted copy mailed: Notification from EPA re FFY2008 Water Conservation Grant Program. Forward to Water Commission.
29. Noted copy mailed: E-mail from Lisa Cossette, 23 Stonybrook Lane, re Budget.
30. Noted copy mailed: Notice of Project Change: Cummings School for Veterinary Medicine at Tufts University Proposed Regional Biosafety Laboratory (complete report on file in BOS office).
31. Noted copy mailed: Suburban Coalition Notice of Annual Legislative Breakfast & 2007 Position Paper.
32. Noted copy mailed: MMA Regional Update Meeting Schedule. Shrewsbury will be hosting one of these meetings.
33. Noted copy mailed: E-mail from Dr. Lauren Hamm, 5 Timari Drive, re Budget.
34. Noted copy mailed: E-mail from Corinne Hetzler, 231 Spring Street, re Fallen tree on antique cemetery headstones. Mr. Morgado will check on ownership of this property.
35. Noted copy mailed: E-mail from Marcia Pereira, 34 Monroe Street, re Budget.
36. Noted copy mailed: Mass. Dept. of Revenue - Bulletin 2007-02B, Local Option Property Tax Exemptions for Research & Development Companies.
37. Noted copy mailed: Mass. Dept. of Revenue – Bulletin 2007-03B, Summary of 2006 Municipal Finance Law Changes.
38. Noted copy mailed: Mass. Dept. of Revenue – Bulletin 2007-04B, Revised Personal Exemption Applications.
39. Noted copy mailed: Mass. Dept. of Revenue – Informational Guideline Release No. 07-201, February 2007 – Clause 41C Property Tax Exemption for Seniors. Town Assessor, Bob Ellia, advises that 41C provides more than 41C \_.
40. Noted copy mailed: E-mail from Tara Alano, 49 Gold Street, re Speed Limit on Gold Street. Engineering is reviewing and will submit a report. In the future Chief Hester and Town Engineer Perreault will confer and respond together.
41. Noted copy mailed: E-mail from Farida Alam-Huda, 88 Lake Street, re Budget.
42. Noted copy mailed: E-mails from Jack Genco & Cynthia Genco, 6 Rolling Hill Road, re Budget.
43. Noted copy mailed: E-mail from Kathleen Sior, 28 Kenda Road, re Budget.
44. Noted copy mailed: E-mail from Roya Blodgett, 1234 Arbor Drive, re Budget.
45. Noted copy mailed: E-mail from Mary Wexler, 11 Birch Brush Road, re Budget.
46. Noted copy mailed: E-mail from Chris McCoy, 6 Bracken Road, re Budget.
47. Noted copy mailed: E-mail from Michael Keohane, 8 Bracken Road, re Budget.
48. Noted copy mailed: E-mail from Ron Weeden, 28 Brook Street, re Budget.
49. Noted copy mailed: E-mail from Andrew & Anne Duffy, 7 Claremont Circle, re Budget.
50. Noted copy mailed: E-mail from Audrey Fisher, 9 Wachusett Circle, re Prop. Budget.
51. Noted copy mailed: Information from U.S. Holocaust Memorial Museum re 2007 Days of Remembrance.
52. Noted copy mailed: E-mail from Peter & Kim Clougherty, 33 Summer Street, re Budget.
53. Noted copy mailed: E-mail from Jeffrey Harpin, 8 Harvest Road, re Budget.
54. Noted copy mailed: E-mail from Jinhua Chen, 68 Stoney Hill Road, re Budget.

Motion was made, seconded, and unanimously voted to adjourn into executive session at 9:33pm not to reconvene for the purpose of discussing value of real property. On a roll call vote Mr. Card, yes, Mr. McCaffrey, yes, Mr. DePalo, yes, Mr. Fiore, yes, and Mr. Lebeaux, yes.

Respectfully submitted,

Janice C. McCoy

Secretary